

28 MAR 1977

MEMORANDUM FOR: Deputy Director for Intelligence
Deputy Director for Operations
Deputy Director for Science and Technology
Inspector General
General Counsel
Legislative Counsel
Comptroller

STAT FROM :
Chief, Regulations Control Branch
Information Systems Analysis Staff

STAT SUBJECT : Proposed CIA Records Destruction Policy
(Job #7973)

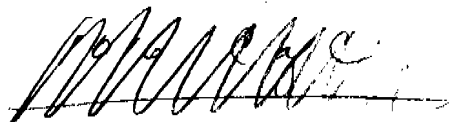
FOR YOUR INFORMATION

1. The attached notice was proposed by Chief, Information Systems Analysis Staff. It has been reviewed with the Office of General Counsel and the directorate Records Management Officers, and their suggestions incorporated.

2. Please give this important matter your prompt attention. We plan to send the notice to the Deputy Director of Central Intelligence on 11 April 1977 for approval. If you have questions, please call the undersigned on extension

STAT Attachments:
Proposed

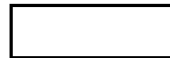
cc: C/ISAS
AO/DCI
SSA/DDA



a. The United States Code, Title 44, Chapter 33, Disposal of Records, defines "records" as including "all books, papers, maps, photographs, ^{machine-readable materials}, or other documentary materials, regardless of physical form or characteristics, made or received by an agency of the United States Government under Federal law or in connection with the transaction of public business and preserved or appropriate for preservation by that agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the Government or because of the informational value of data in them." (44 U.S.C. 3301)


This Notice Expires 1 May 1978

RECORDS AND CORRESPONDENCE



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CIA RECORDS DESTRUCTION POLICY

Rescission:  25 dated 7 September 1976

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1. This notice informs CIA employees of the current requirements that must be met before Agency records legally can be destroyed. The requirements are outlined below, and procedures are presented in paragraph 2.

a. Federal records may not be destroyed without prior authorization by the Archivist of the United States. The Archivist authorizes destruction by signing Standard Form 115, Request for Records Disposition Authority, which identifies series of related records and specifies the time for their destruction. Within the Agency, CIA Form 139, Records Control Schedule, which includes additional detail, is used to implement the dispositions approved on SF 115.

b. Currently, copies of SF 115 and Form 139 are reviewed and cleared by the Senate Select Committee on Intelligence and the House Select Committee on Assassinations. Procedures are also being negotiated through the Legislative Counsel for these committees to inspect ~~selected~~ CIA records prior to their destruction. (For informational purposes, copies of these forms are also provided to the Government Information and Individual Rights Subcommittee of the House Committee on Government Operations.)

c. Other considerations are of equal importance in deciding whether to destroy CIA records. These considerations include legislation such as the Freedom of Information Act and the Privacy Act, litigation such as Federal antitrust suits and personal lawsuits, and matters under investigation by the Department of Justice. Although records subject to legal or investigative requirements are identified when a requirement arises, it is necessary to ensure that they are not inadvertently destroyed. Therefore, before destroying any Agency records, whether on paper, magnetic tape, film, or other recording media, it must be determined that there are no ~~pending~~ legal or investigative requirements for the records.

actual or impending

b. Records relating to pending Freedom of Information Act or Privacy Act requests to the Agency are duplicated and segregated at the time of the request, and are subject to additional retention periods established by the Archivist and included in the records control schedules. If a request involves records too voluminous to be duplicated, the records are flagged at the time of the request and must be segregated from records being processed for destruction.

c. It also must be determined that the records being processed for destruction are not related to actual or impending litigation or to matters under investigation by the Department of Justice or Congress.

d. Library and museum material made or acquired and preserved solely for reference or exhibition purposes, extra copies of documents preserved only for convenience of reference, and stocks of publications and of processed documents are excluded from the 44 U.S.C. 3301 definition of "records" and may be destroyed when no longer needed.

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RECORDS AND CORRESPONDENCE

2. The Agency Records Management Officer (Chief, Information Systems Analysis Staff, DDA), in coordination with other Agency officials, is responsible for ensuring that CIA records are properly maintained and destroyed in accordance with the above requirements. To ensure compliance, the following steps must be taken:

a. Before destroying any records, each employee must consult the component Records Management Officer (RMO) and the custodian of the records to verify that the records are scheduled for immediate destruction on an approved Form 139, Records Control Schedule. If the records are not scheduled for immediate destruction, a SF 115, Request for Records Disposition Authority, must be submitted to the Archivist of the United States by the Agency RMO.

b. ^{being processed for destruction} It also must be determined that the records are not ^{actual} related to ^{litigation} litigation or possible ^{litigation} litigation, to matters under ^{investigation} investigation by the Department of Justice, or to ^{Freedom of Information Act or Privacy Act requests to the Agency} Freedom of Information Act or Privacy Act requests to the Agency. ^{For records in the office, an initial determination will be made on the basis of information provided by the General Counsel to the component RMO through the Agency and directorate RMO's. If the initial review raises any question as to actual or potential legal or investigative requirements for the records, authority to destroy them must be obtained by routing Form 141c, Request for Authorization to Destroy Records in Office, through the custodian and the component and directorate RMO's to the Records Administration Branch, ISAS. The Agency RMO will obtain the concurrence of the General Counsel prior to approving the actual destruction of the records.}

c. For all records deposited in the Agency Archives and Records Center, Form 141b, Request for Authorization to Destroy Records in Records Center, will be routed through the same approval channels.

d. ~~Extra copies of documents preserved only for convenience of reference or for distribution stocks of publications may be destroyed when no longer needed.~~

e. Questions on implementing this policy should be directed to your component Records Management Officer.

E. H. Knoche
Deputy Director of Central Intelligence

Attachments:

1. Form 141b
2. Form 141c

DISTRIBUTION: ALL EMPLOYEES

Approved For Release 2002/08/15 : CIA-RDP86-00895R000100010055-3
REQUEST FOR AUTHORIZATION
TO DESTROY RECORDS IN RECORDS CENTER

Form 100-10 (Assigned by ARC)

TO : Chief, Information Systems Analysis Staff, DDA

FROM:

THRU: Component Records Management Officer
Directorate Records Management Officer
Records Administration Branch, ISAS/DDA
Office of General Counsel

Archives and Records
Center, ISAS/DDA

2. DATE PREPARED

THE RECORDS IDENTIFIED BELOW ARE SCHEDULED FOR IMMEDIATE DESTRUCTION. AUTHORIZATION IS REQUESTED TO DESTROY THE RECORDS AS SCHEDULED. IF AUTHORIZATION IS DENIED, REVISED DISPOSITION INSTRUCTIONS MUST BE PROVIDED TO RAB AND NARS.

IDENTIFICATION OF RECORDS

| 3. OFFICE | 4. SCHEDULE NO. | 5. ITEM NUMBER | 6. ACCESSION JOB NO. | 7. BOX NUMBERS |
|-----------|-----------------|----------------|----------------------|----------------|
| | | | | |

5. COMPONENT RMO WILL ATTACH A COPY OF FORM 140 AND 140A. IF FORM 140A "SHELF LIST" IS NOT AVAILABLE THEN PROVIDE A DETAILED DESCRIPTION OF THE RECORDS

☐ CONTINUED ON REVERSE

CONCUR/APPROVED

AUTHORIZATION TO DESTROY RECORDS

YES

NO*

9. TYPED NAME AND SIGNATURE OF CUSTODIAN OF RECORDS

EXTENSION

DATE

10. TYPED NAME AND SIGNATURE OF COMPONENT RECORDS MANAGEMENT OFFICER

EXTENSION

DATE

11. TYPED NAME AND SIGNATURE OF DIRECTORATE RECORDS MANAGEMENT OFFICER

EXTENSION

DATE

12. TYPED NAME AND SIGNATURE OF GENERAL COUNSEL REPRESENTATIVE

EXTENSION

DATE

13. TYPED NAME AND SIGNATURE OF CHIEF, INFORMATION SYSTEMS ANALYSIS STAFF

DATE

14. *PROVIDE REASON FOR DENIAL. ALSO PROVIDE NEW DISPOSITION INSTRUCTIONS

☐ CONTINUED ON REVERSE

FOR RECORDS CENTER USE ONLY

DESTROYED

REMARKS

PARTIAL JOB (Box Nos.)

COMPLETE JOB

CHIEF, DISPOSITION SECTION, ARC

DATE

oved For Release 2002/08/15 : CIA-RDP86-00895R0001000

TRANSMITTAL SLIP

28 MAR 1977

TO:

MB C/ISAS

ROOM NO.

BUILDING

5-B-2828 Hdqrs.

REMARKS:

Haz:

FROM:

RCB/ISAS/DDA

ROOM NO.

BUILDING

EXTENSION

ved For Release 2002/08/15 : CIA-RDP86-00895R0001000

FORM NO. 241
1 FEB 55

REPLACES FORM 36-8
WHICH MAY BE USED.

(47)

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